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Attorneys for Plaintiff  
MAHSHID KIANFARD

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

MAHSHID KIANFARD

Plaintiff,

vs.

ALBERTO R. GONZALES, Attorney General of  
the United States, in his Official Capacity;  
ROBERT S. MUELLER, Director of FBI, in his  
Official Capacity; MICHAEL CHERTOFF,  
Secretary of Department of Homeland Security, in  
his Official Capacity; EMILIO T. GONZALEZ,  
Director of United States Citizenship and  
Immigration Services, in his Official Capacity;  
ROSEMARY MELVILLE, District Director of the  
San Francisco Citizenship and Immigration  
Services in her Official Capacity;

Defendants.

No.: C07-2904 WDB

DECLARATION OF MAHSHID  
KIANFARD IN SUPPORT OF  
PLAINTIFF'S MOTION FOR  
SUMMARY JUDGMENT

Date: November 7, 2007

Time: 1:30 p.m.

Judge: Hon. Wayne D. Brazil

I, Mahshid Kianfard, declare as follows:

1. I am the plaintiff in the above-entitled action on a petition for a writ of mandamus. I make this declaration based on personal knowledge, and if called to testify as a witness, I could and would testify competently to the truth of the statements made in this declaration.

1           2.       I am a native and citizen of Iran, born on July 18, 1968, in Tehran, Iran. A true  
2 and correct copy of my Iranian National Identity Card, Serial Number 1-583841, with a certified  
3 English translation, is attached hereto as Exhibit A

4           3.       My father, Abbasali Kianfard, and my mother, Khanom Bala Pirvali, had nine  
5 children. Most of my other siblings had long ago immigrated to the United States and became  
6 lawful permanent residents and naturalized U.S. citizens. In 1994, my mother and father were  
7 fortunate to have the chance to go to the United States as beneficiaries of approved immediate  
8 relative visa petitions filed by my U.S. citizen brother, Naser Kianfard.

9           4.       In 1997, my sister, Azar, and I decided to flee Iran and seek political asylum  
10 abroad. Although we were turned away or deported by several countries, including Cyprus and  
11 Greece, we managed to obtain transit to Canada, where we requested political asylum. My sister  
12 and I waited almost two years for a decision on our request for asylum. However, in the summer  
13 of 1999, we were finally informed that our request for asylum had been denied. Thereafter, on  
14 September 1, 1999, my sister and I crossed the Canadian border into the United States near  
15 Buffalo, New York, by private truck, without having been inspected or admitted by an  
16 immigration officer.

17           5.       After my entry without inspection into the United States on September 1, 1999, I  
18 lived with my mother and two sisters in Atlanta, Georgia, where I studied English and pursued a  
19 nursing license. A true and correct copy of my Georgia Driver's License, showing a license  
20 examination date of October 21, 2000, is attached hereto at Exhibit B.

21           6.       I was residing at 527 Northridge Road, Apt. A, in Atlanta, Georgia, following my  
22 entry on September 1, 1999 and through well after December 21, 2000, the date of enactment of  
23 the LIFE Act Amendments of 2000, that repealed the sunset of adjustment of status under  
24 Section 245(i) of the Immigration and Nationality for aliens who had entered the United States  
25 without inspection, in cases where a petition for family classification or a labor certification  
26 application had been filed on or before April 30, 2001, the alien was physically present in the  
27 United States on the date of the law's enactment, and he or she pays a \$1,000 penalty fee.

1           7.       On April 30, 2001, my mother, Khanom Pirvali, who at that time was still a  
2 lawful permanent resident, filed a *Form I-130*, second-preference family immigrant visa petition  
3 to accord me status as an unmarried son or daughter of a permanent resident over 21 years of  
4 age. A petition was also filed for my sister, Azar, who entered the United States with me from  
5 Canada. A true and correct copy of the Form I-797C, Receipt Notice, showing a receipt date of  
6 April 30, 2001 for the I-130 petition filed on my behalf, is attached hereto at Exhibit C.

7           8.       In 2003, I moved from Atlanta to Los Angeles, California, where I first met Amir  
8 Radpour, a United States citizen of Iranian background who had his own dental practice in  
9 Northern California. After dating and communicating long distance over the next several  
10 months, Amir and I were married in Los Angeles, California on November 14, 2004. I thereafter  
11 moved from Los Angeles to the Bay Area to live at my husband's home in Dublin, California.  
12 True and correct copies of License and Certificate of Marriage, and Amir Radpour's Certificate  
13 of Naturalization, are attached hereto at Exhibit D.

14           9.       On January 18, 2005, my husband and I concurrently filed with the San Francisco  
15 District Office of the U.S. Citizenship and Immigration Service (USCIS) the following  
16 applications for my admission as a permanent resident:

17           Form I-130, Petition for Alien Relative;

18           Form I-485 Application to Register Permanent Residence or Adjust Status, and

19           Supplement A to Form I-485, Adjustment of Status under Section 245(i) of the Act; and

20           Form I-765, Application for Employment Authorization.

21       Thereafter, I received from USCIS a Notice of Receipt, dated March 11, 2005, indicating that my  
22 adjustment of status application had been accepted, with an attached checklist of documents to  
23 bring to my scheduled interview. True and correct copies of the Notice of Receipt, March 11,  
24 2005, and enclosures, are herein attached at Exhibit E.

25           10.      On May 11, 2005, my husband and I appeared at USCIS San Francisco District  
26 Office for the scheduled interview on our applications. We presented evidence of the bona fides  
27 of our marriage, as well as documentation that my permanent resident mother had filed an I-130  
28

1 petition for me on April 30, 2001 and that I was physically present in the United States on  
2 December 21, 2000. At the conclusion of the interview, the USCIS officer informed us that the  
3 file looked complete, but that I had to wait until a "background check" or "security clearance"  
4 was completed before I would receive final approval of my application for adjustment of status.  
5 The officer issued to me a notice that my case would be held for "further review" until such time  
6 as the background check cleared. A true and correct copy of the Notice of Continuance, May  
7 11, 2005, is attached hereto at Exhibit F.

8 11. It has been more than two years and eight months since I filed my application  
9 with USCIS and almost two and a half years since my husband and I were interviewed. Just  
10 seven months later, on January 19, 2006, I gave birth to our son, Rostin Radpour. A true and  
11 correct copy of the Certificate of Live Birth of Rostin Radpour is hereto attached at Exhibit G.

12 12. In the meantime, I have made repeated and numerous inquiries about the status of  
13 my application by telephone, written correspondence and personal visits to the USCIS. The last  
14 response USCIS provided to me occurred on March 13, 2006, when a letter again informed me  
15 that USCIS cannot move forward on my case until my "background checks" are cleared. A true  
16 and correct copy of the USCIS letter dated March 13, 2006, is herein attached at Exhibit H.

17 13. I then sought the help of a Constituent Services Representative, Ms. Morgan  
18 Galli, working on the staff of U.S. Senator Dianne Feinstein, to inquire into the status of my  
19 permanent resident application and delayed background check with the federal agencies  
20 involved. Ms. Galli communicated to me that, after a direct inquiry with the FBI, she was  
21 informed that the name check conducted by the FBI as part of the security clearances required  
22 for my adjustment application had been pending since April 22, 2005. Further inquiry should  
23 not be made until after 90 days. True and correct copies of my communications with Senator  
24 Feinstein's office are herein attached at Exhibit I.

25 14. The delay in the adjudication of my adjustment of status application, or  
26 completion of the FBI name check, has caused me great personal stress. In order to maintain my  
27 employment as a registered nurse, I must ensure that annual applications for renewal of my  
28

1 employment authorization document are properly prepared and submitted well-in advance of  
2 expiration. True and correct copies of my California RN License Card and USCIS Employment  
3 Authorization Documents are attached hereto at Exhibit J.

4 15. I have been informed by immigration law counsel that, because I have accrued  
5 unlawful presence in excess of one year after having entered without inspection on September 1,  
6 1999, if I depart the United States while my adjustment of status application is pending, even if I  
7 properly obtain an advanced parole document prior to departing, I will have triggered a ten-year  
8 bar to my re-admission to the United States, thereby making me ineligible for a period of ten  
9 years for adjustment of status (if somehow I were paroled into the United States) or an immigrant  
10 visa sought from abroad.

11 16. Due to the two-and-a-half year delay in completion of my case, my husband and I  
12 have not been able to take our son Rostin to Iran to visit his father's family. Moreover, earlier  
13 this year, when my 78-year old father passed away in Iran, I was unable to attend his funeral  
14 given that my adjustment of status application had not been approved.

15 17. Recently, my sister, Azar, who entered the United States with me on September 1,  
16 1999 and for whom my mother had also filed an immigrant visa petition on April 30, 2001,  
17 received approval of her application for adjustment of status based on my mother's petition and  
18 under Section 245(i) of the Immigration and Nationality Act.

19 18. Since the time of filing of my adjustment of status application on January 18,  
20 2005, I continue to be in a bona fide and legally-valid marital relationship with my U.S. citizen-  
21 petitioner husband, Amir Radpour. We currently reside together with our 19-month old son,  
22 Rostin Radpour, at 4442 Bangor Court, Dublin, California, 94568.

23  
24 I declare under the penalty of perjury that foregoing is true and correct.

25  
26 Dated: 10/01/07

27  
28  
  
\_\_\_\_\_  
Mahshid Kianfard

LIST OF EXHIBITS

		Pages
<u>EXHIBIT A</u>	Copy of Mahshid Kianfard's Iranian National Identity Card, Serial No. 1-583841, with Certified English translation,	1-2
<u>EXHIBIT B</u>	Copy of Mahshid Kianfard's State of Georgia Driver's License, dated of October 21, 2000	3
<u>EXHIBIT C</u>	Copy of <u>Form I-797C, Receipt Notice</u> , April 30, 2001, for I-130 Petition by Khanom Bala Pirvali on behalf of Mahshid Kanfard	4
<u>EXHIBIT D</u>	Copies of <u>License and Certificate of Marriage</u> , and Amir Radpour's <u>Certificate of Naturalization</u> ,	5-6
<u>EXHIBIT E</u>	<u>Notice of Receipt</u> , issued by San Francisco USCIS, March 11, 2005, and enclosures	7-9
<u>EXHIBIT F</u>	<u>Notice of Continuance pending security clearnace</u> , issued by San Francisco USCIS, May 11, 2005	10
<u>EXHIBIT G</u>	Copy of <u>Certificate of Live Birth</u> of Rostin Radpour	11
<u>EXHIBIT H</u>	<u>Response to Inquiry letter</u> , San Francisco USCIS, March 13, 2006	12
<u>EXHIBIT I</u>	Copies of Communications with Office of U.S. Senator Dianne Feinstein	13-20
<u>EXHIBIT J</u>	Copies of California RN License Card and Employment Authorization Documents	21-23



**Identity Card**  
Islamic Republic of Iran  
*Interior Ministry*

**Department of National Registration and Statistics**

*Serial Number : 1-583841*

(Page 1)

Photo of Holder ( <i>Sealed &amp; Affixed</i> )		Identity Card # 4201		
First Name	Ms. Mahshid			
Last Name	: KIANFARD			
Date of Birth	: 07/18/1968			
Place of Birth	: Tehran			
<b>Parents</b>	<b>Name</b>	<b>Identity Card #</b>	<b>Place of Issue</b>	<b>District</b>
Father	ABBASALI	319	Arak	2
Mother	KHANOMBALA	805	Arak	1

Date of Recording of Document : Place: Tehran , District -

*First and Last Name of the Clerk / Signed and Sealed : Bureau of Records of Tehran*

(Page 2)

<b>First and Last Name of Spouse</b>		<b>Identity Card</b>	<b>Date of Birth</b>	<b>District</b>	<b>No.</b>
<b>Date of Marriage</b>	<b>Recording No.</b>	<b>Place of Marriage Registry &amp; No.</b>		<b>Place of Seal</b>	
<b>Name(s) of Child(ren)</b>	<b>Identity Card #</b>	<b>Date of Birth</b>	<b>Place of Issue</b>	<b>District</b>	
<b>Divorce / Death</b>	<b>Date of Recording</b>	<b>Recording No.</b>	<b>Place Registry No</b>		

(Page 3) Remarks: <BLANK>

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State of California )

County of Santa Clara )

I CERTIFY THAT I AM COMPETENT TO TRANSLATE FARSI (PERSIAN) INTO ENGLISH AND ENGLISH INTO FARSI AND FURTHER CERTIFY THAT THE FOREGOING ENGLISH TRANSLATION IS A COMPLETE AND CORRECT TRANSLATION OF THE ATTACHED FARSI LANGUAGE DOCUMENT.

Translation by:



SEAL:

940 Saratoga Ave. Suite 112, San Jose, CA 95129 \* Tel: (408) 554-1318 \* Fax (408) 554-1751

*Dariush B. Gilani*  
Dariush B. Gilani

EXHIBIT A







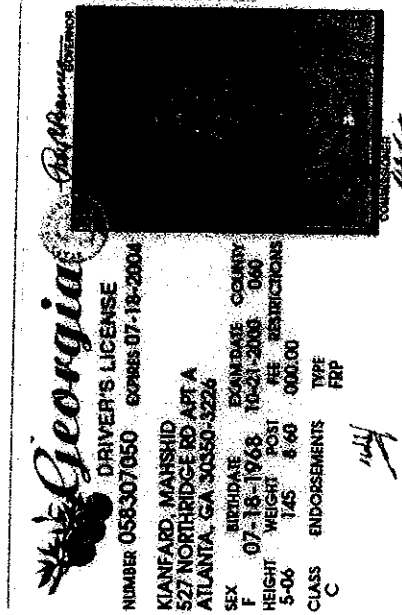
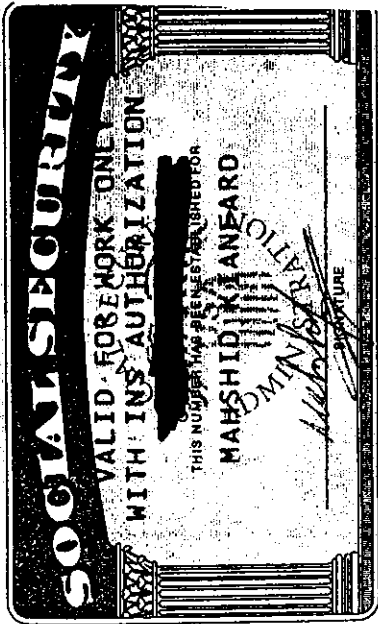


EXHIBIT B

**THE UNITED STATES OF AMERICA**

<b>RECEIPT NUMBER</b> SRC-01-258-50568		<b>CASE TYPE</b> I130 IMMIGRANT PETITION FOR RELATIVE, FIANCE(E), OR ORPHAN	
<b>RECEIVED DATE</b> April 30, 2001	<b>PRIORITY DATE</b>	<b>PETITIONER</b> A44 411 348 PIRVALI, KHANOM B.	
<b>NOTICE DATE</b> August 31, 2001	<b>PAGE</b> 1 of 1	<b>BENEFICIARY</b> KIANFARD, MAHSHID	
KHANOM B. PIRVALI 410 MNT VERNON HWY ATLANTA GA 30327		<b>Notice Type:</b> Receipt Notice  Fee Previously Collected Section: Unmarried child 21/older of permanent resident, 203(a)(2)(B) INA	

The above application or petition has been received. It usually takes 175 to 225 days from the date of this receipt for us to process this type of case. Please notify us immediately if any of the above information is incorrect.

We will send you a written notice as soon as we make a decision on this case. You can also use the phone number (214) 381-1423 to obtain case status information direct from our automated system 24 hours a day with a touch-tone phone and the receipt number for this case (at the top of this notice).

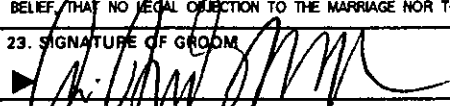
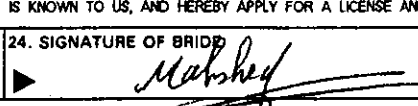


If you have other questions about possible immigration benefits and services, filing information, or Immigration and Naturalization Service forms, please call the INS National Customer Service Center (NCSC) at **1-800-375-5283**. If you are hearing impaired, please call our TDD at **1-800-767-1833**.

If you have access to the Internet, you can also visit the INS at [www.ins.usdoj.gov](http://www.ins.usdoj.gov). Here you can find valuable information about forms and filing instructions, and about general immigration services and benefits. At present, this site does not provide case status information.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

IMMIGRATION & NATURALIZATION SERVICE  
TEXAS SERVICE CENTER  
P O BOX 851488 - DEPT A  
MESQUITE TX 75185-1488  
Customer Service Telephone: (214) 381-1423

**EXHIBIT C**

GROOM PERSONAL DATA	1A. NAME OF GROOM--First (Given)		1B. MIDDLE		1C. LAST (FAMILY)		2. DATE OF BIRTH--Month, Day, Year		
	AMIR		-		RADPOUR		02/20/1963		
	3A. RESIDENCE - STREET AND NUMBER			3B. CITY		3C. ZIP CODE		3D. COUNTY-- OUTSIDE CALIFORNIA, ENTER STATE	
	5050 HACIENDA DR # 936			DUBLIN		94568		ALAMEDA	
	4. STATE OF BIRTH			IRAN					
BRIDE PERSONAL DATA	6. MAILING ADDRESS--IF DIFFERENT			6. NUMBER OF PREVIOUS MARRIAGES		7A. LAST MARRIAGE ENDED BY:		7B. DATE--Month, Day, Year	
	-			02		<input type="checkbox"/> DEATH <input checked="" type="checkbox"/> DISSOLUTION <input type="checkbox"/> ANNULMENT		07/23/2003	
	8A. USUAL OCCUPATION			8B. USUAL KIND OF BUSINESS OR INDUSTRY			9. EDUCATION - YEARS COMPLETED		
	DENTIST			DENTISTRY			21		
	10A. FULL NAME OF FATHER			10B. STATE OF BIRTH		11A. FULL MAIDEN NAME OF MOTHER		11B. STATE OF BIRTH	
AFFIDAVIT	12A. NAME OF BRIDE - FIRST (GIVEN)			12B. MIDDLE		12C. CURRENT LAST (FAMILY)		12D. MAIDEN LAST (FAMILY) (IF DIFFERENT THAN 12C)	
	MAHSHID			-		KIANFARD		-	
	14A. RESIDENCE -- STREET AND NUMBER			14B. CITY		14C. ZIP CODE		14D. COUNTY-- OUTSIDE CALIFORNIA, ENTER STATE	
	20135 KESWICK ST # 308			CANOGA PARK		91306		LOS ANGELES	
	15. STATE OF BIRTH			CALIF					
LICENSE TO MARRY	16. MAILING ADDRESS--IF DIFFERENT			17. NUMBER OF PREVIOUS MARRIAGES		18A. LAST MARRIAGE ENDED BY:		18B. DATE -- MONTH, DAY, YEAR	
	-			00		<input type="checkbox"/> DEATH <input type="checkbox"/> DISSOLUTION <input type="checkbox"/> ANNULMENT		-	
	19A. USUAL OCCUPATION			19B. USUAL KIND OF BUSINESS OR INDUSTRY			20. EDUCATION-- YEARS COMPLETED		
	NURSE			HOSPITAL			17		
	21A. FULL NAME OF FATHER			21B. STATE OF BIRTH		22A. FULL MAIDEN NAME OF MOTHER		22B. STATE OF BIRTH	
WITNESS(ES) (ONE REQUIRED)	23. SIGNATURE OF GROOM			24. SIGNATURE OF BRIDE					
									
	25. I HEREBY CERTIFY THAT THE ABOVE-NAMED BRIDE AND GROOM WERE JOINED BY ME IN MARRIAGE IN ACCORDANCE WITH THE LAWS OF THE STATE OF CALIFORNIA.								
	25A. ISSUE DATE MONTH, DAY, YEAR			25B. LICENSE EXPIRES AFTER MONTH, DAY, YEAR		25C. LICENSE NUMBER		25D. COUNTY OF ISSUE	
	11/12/2004			02/10/2005		V 0006273		LOS ANGELES	
CERTIFICATION OF PERSON SOLEMNIZING MARRIAGE	25E. SIGNATURE OF COUNTY CLERK			25F. SIGNATURE OF DEPUTY CLERK (IF APPLICABLE)					
	CONNY B. MCCORMACK			BY  DEPUTY					
	26A. SIGNATURE OF WITNESS			26B. ADDRESS-- STREET AND NUMBER		26C. CITY, STATE AND ZIP CODE			
	27A. SIGNATURE OF WITNESS			27B. ADDRESS-- STREET AND NUMBER		27C. CITY, STATE AND ZIP CODE			
	28. I HEREBY CERTIFY THAT THE ABOVE-NAMED BRIDE AND GROOM WERE JOINED BY ME IN MARRIAGE IN ACCORDANCE WITH THE LAWS OF THE STATE OF CALIFORNIA.			29A. SIGNATURE OF PERSON SOLEMNIZING MARRIAGE		29B. RELIGIOUS DENOMINATION (IF CLERGY)			
LOCAL REGISTRAR OF MARRIAGES (COUNTY RECORDER)	ON <u>Nov</u> <u>14</u> <u>2004</u>			29C. NAME OF PERSON SOLEMNIZING MARRIAGE (TYPE OR PRINT)		29D. OFFICIAL TITLE			
	MONTH DAY YEAR			Mohammad M. Sayahzadeh		Muslim Priest			
	AT <u>Los Angeles</u> <u>LA</u> CALIFORNIA			29E. MAILING ADDRESS		29F. ZIP CODE			
	CITY OR TOWN COUNTY			22235 Wyandolte St. Canoga Park CA		91303			
	30A. SIGNATURE OF LOCAL REGISTRAR			30B. SIGNATURE OF DEPUTY (IF APPLICABLE)		31. DATE ACCEPTED FOR REGISTRATION			
CONNY B. MCCORMACK			BY  DEPUTY						

## AFFIDAVIT

I acknowledge that I have received the brochure titled "Your Future Together"

_____ SIGNATURE OF WIFE	_____ DATE
_____ SIGNATURE OF HUSBAND	_____ DATE

**CERTIFICATE OF**



**MEMORANDUM**

No. 27 983 652

Personal description of holder  
as of date of naturalization:

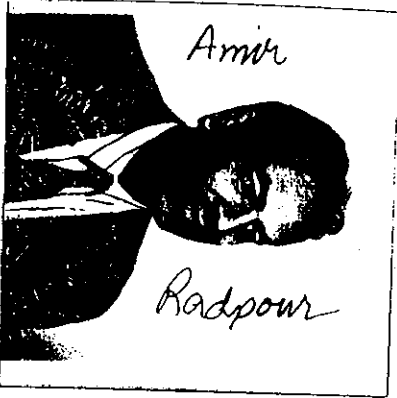
Date of birth: FEBRUARY 20, 1963

Sex: MALE

Height: 5 feet 9 inches

Marital status: DIVORCED

Country of former nationality:  
IRAN



Amir

Radpour

TN Registration No.

A070064544

I certify that the description given is true, and that the photograph affixed  
hereto is a likeness of me.

Amir Radpour  
(Complete and true signature of holder)

Be it known that, pursuant to an application filed with the Attorney General

at: SAN FRANCISCO, CALIFORNIA

The Attorney General having found that:

AMIR RADPOUR

then residing in the United States intends to reside in the United States when so  
required by the Naturalization laws of the United States, and had in all other  
respects complied with the applicable provisions of such naturalization laws and was  
entitled to be admitted to citizenship, such person having taken the oath of allegiance  
in a ceremony conducted by the

US DISTRICT COURT OF NORTHERN CALIFORNIA

at: SAN FRANCISCO, CALIFORNIA

on: OCTOBER 21, 2003

that such person is admitted as citizen of the United States of America.

IT IS PUNISHABLE BY U. S. LAW TO COPY,  
PRINT OR PHOTOGRAPH THIS CERTIFICATE,  
WITHOUT LAWFUL AUTHORITY.

Charles Quaint  
Commissioner of Immigration and Naturalization



U.S. Citizenship  
and Immigration  
Services

## Notice of Receipt

Date: 3/11/2005

A No: 96-111-781 / COA: CR6

Name: KIANFARD, MAHSHID

Address: 5050 HACIENDA DR. #936  
DUBLIN, CA 94568

Your Form I-485 Application for Adjustment of Status has been received and accepted. Your interview appointment notice will be mailed to you separately. If you also applied for employment authorization and/or advance parole, notices for appearing to receive these benefits, if approved, are also enclosed.

**Please carefully review all of the other material enclosed. It may include requests for evidence and documentation you must bring with you to your interview on the date assigned. Failure to bring all requested evidence and documents to your adjustment of status interview could result in immediate denial of your adjustment application. DO NOT mail documents to this office unless advised to do so.**

**NOTICE: You must not depart the United States without written permission from the Service while your application is pending. If you depart without permission your application will be denied. You may apply for advance parole to re-enter the United States to continue processing your application.**

**ADVISORY:** If after April 1, 1997, you were unlawfully present in the United States for more than 180 days before filing for adjustment of status, you may be found inadmissible under Section 212(a)(9)(B)(I) of the Act when returning to the United States. If you are found inadmissible, you will need to qualify for a waiver of inadmissibility before your adjustment of status can be approved.

**CHANGE OF ADDRESS:** The change of address form included with this receipt is for your use to notify this office of any change of address. Please retain a copy for your records. Failure to notify this office in a timely manner of any change of address may result in denial of your applications for adjustment of status and employment authorization (EAD).

For: David N. Still, District Director

[www.uscis.gov](http://www.uscis.gov)

DS-1 Form 1 (12/04/03) other editions are obsolete and may no longer be used

EXHIBITE



Bureau of Citizenship and Immigration Services  
 USBCIS  
 630 Sansome Street  
 San Francisco, CA 94111

REQUEST FOR EVIDENCE

*Adjustment of Status Application*

DO NOT MAIL DOCUMENTS TO THIS OFFICE UNLESS ADVISED TO DO SO

Applicant's Name: Mehmet Kanfak

Date: MAR - 8 2005

Alien Number: \_\_\_\_\_

Officer: DM

DOCUMENTS AND OTHER EVIDENCE REQUIRED AT THE TIME OF YOUR ADJUSTMENT OF STATUS INTERVIEW ARE LISTED BELOW. PLEASE BRING TO YOUR INTERVIEW ORIGINALS AND/OR COPIES OF ALL DOCUMENTS YOU SUBMITTED WITH YOUR APPLICATION. NOTE ! : CHECK THIS LIST CAREFULLY AND BE SURE TO BRING WITH YOU TO YOUR INTERVIEW ANY DOCUMENTS LISTED THAT WERE NOT INCLUDED WITH YOUR ORIGINAL APPLICATION.

IMPORTANT: FAILURE TO BRING THE MATERIAL LISTED BELOW TO YOUR SCHEDULED INTERVIEW MAY RESULT IN DENIAL OF YOUR APPLICATION DUE TO LACK OF PROSECUTION.

REQUIRED DOCUMENTATION AND EVIDENCE	
<input checked="" type="checkbox"/>	Copies of registered birth, death, divorce, and marriage certificates to support claimed relationships (mother, father, son, daughter, brother, sister, husband, wife, and ex-spouse) as applicable.
<input checked="" type="checkbox"/>	Two (2) affidavits attesting to the birth or death of persons for whom registered certification is not available.
<input checked="" type="checkbox"/>	A Non-Availability of Document statement certified by civil authorities for any unavailable documents.
<input checked="" type="checkbox"/>	For marriage cases, evidence of marital union (rental agreement, deeds, insurance policies, utility bills, bank/credit statements, tax returns, and any other evidence to prove bona fide marriage)
<input checked="" type="checkbox"/>	English translation of any/all foreign documents
<input checked="" type="checkbox"/>	Copy of passport pages with photo and personal data, and evidence of legal entry, such as I-94, non-immigrant visa, and/or entry stamp, for all applicants.
<input checked="" type="checkbox"/>	Immigration specified color photos for all applicants
<input checked="" type="checkbox"/>	Certified copies of Final Disposition of Arrests and Police Clearances, if required by classification
<input checked="" type="checkbox"/>	Forms G-325A for all applicants and petitioner.
<input checked="" type="checkbox"/>	Form I-864 Affidavit of Support on behalf of all applicants. (I-864 must be notarized)
<input checked="" type="checkbox"/>	Employment letter with company letter head (business stationary) showing salary, starting date and position held for any sponsor and/or co-sponsor completing form(s) I-864.
<input checked="" type="checkbox"/>	Federal Income Tax Returns AND Forms W-2 for sponsor(s) completing Form I-864
<input checked="" type="checkbox"/>	Form I-693 Medical Examination & Supplemental Form for Immunizations
<input checked="" type="checkbox"/>	Copy of Naturalization Certificate or U.S. passport or U.S. Birth Certificate for petitioners and joint sponsors.
<input checked="" type="checkbox"/>	A statement from an officer of the bank or other financial institution in which you have deposits, including current balance and deposit and withdrawal history for the last 12 months.
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	





**U.S. Citizenship  
and Immigration  
Services****MAHSHID KIANFARD****A96 111 781****E-11 (PENDING)**☒ **HAND-DELIVERED** to applicant    **DATE: 5/11/ 2005**

**THIS LETTER IS IN REFERENCE TO YOUR APPLICATION FOR PERMANENT RESIDENCE.  
YOUR CASE HAS BEEN CONTINUED FOR THE REASON(S) CHECKED BELOW.**

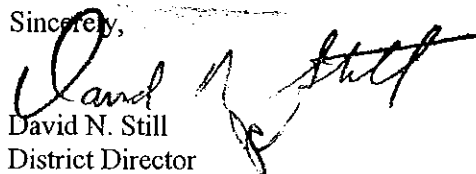
☐ **Visa Availability**    ☐ **Fingerprints**    ☒ **Security Clearance(s)**    ☐ **A-file(s)**    ☒ **Further Review**  
☐ **Documentation (listed below)**    ☐ **Other:**

**IT IS REQUESTED THAT YOU SUBMIT THE FOLLOWING DOCUMENTS:**

**YOU ARE ADVISED THAT YOU ARE GRANTED A PERIOD OF NINETY (90) DAYS FROM THE DATE  
OF THIS LETTER TO SUBMIT THE REQUESTED DOCUMENTS.**

**FAILURE TO COMPLY WITH THIS REQUEST WILL BE DEEMED GROUNDS FOR DENIAL OF YOUR  
APPLICATION FOR LACK OF PROSECUTION.**

Sincerely,

  
David N. Still  
District Director

**PLEASE SEND REQUESTED DOCUMENTS  
WITH A COPY OF THIS LETTER TO:**

Citizenship and Immigration Service  
630 Sansome Street, Room 200 / AOS  
San Francisco, CA 94111  
ATTN: E11 / PENDING / A96 111 781

cc:

**EXHIBIT F**

OFFICE OF RECORDER  
**COUNTY OF ALAMEDA**  
 OAKLAND, CALIFORNIA

**CERTIFICATE OF LIVE BIRTH**  
**STATE OF CALIFORNIA**

1200601000490

STATE FILE NUMBER		USE BLACK INK ONLY		LOCAL REGISTRATION DISTRICT AND CERTIFICATE NUMBER	
THIS CHILD	1A. NAME OF CHILD — FIRST (GIVEN)	1B. MIDDLE	1C. LAST (FAMILY)		
	<b>ROSTIN</b>	-	<b>RADPOUR</b>		
PLACE OF BIRTH	2. SEX	3A. THIS BIRTH, SINGLE, TWIN, ETC.	3B. IF MULTIPLE, THIS CHILD, 1ST, 2ND, ETC.	4A. DATE OF BIRTH — MM/DD/YYYY	4B. HOUR — (24 HOUR CLOCK TIME)
	<b>MALE</b>	<b>SINGLE</b>	-	<b>01/19/2006</b>	<b>1748</b>
FATHER OF CHILD	5A. PLACE OF BIRTH — NAME OF HOSPITAL OR FACILITY		5B. STREET ADDRESS — STREET, NUMBER, OR LOCATION		
	<b>VALLEYCARE MEDICAL CENTER</b>		<b>5555 W. LAS POSITAS BLVD.</b>		
MOTHER OF CHILD	6A. NAME OF FATHER — FIRST (GIVEN)	6B. MIDDLE	6C. LAST (FAMILY)	7. STATE OF BIRTH	8. DATE OF BIRTH
	<b>AMIR</b>	-	<b>RADPOUR</b>	<b>IRAN</b>	<b>02/20/1963</b>
INFORMANT CERTIFICATION	9A. NAME OF MOTHER — FIRST (GIVEN)	9B. MIDDLE	9C. LAST (MAIDEN)	10. STATE OF BIRTH	11. DATE OF BIRTH
	<b>MAHSHID</b>	-	<b>KIANFARD</b>	<b>IRAN</b>	<b>07/18/1968</b>
CERTIFICATION OF BIRTH	12A. PARENT OR OTHER INFORMANT — SIGNATURE		12B. RELATIONSHIP TO CHILD		12C. DATE SIGNED
	<i>Michelle Oliveira</i>		<i>mother</i>		<b>01/23/2006</b>
LOCAL REGISTRAR	13A. ATTENDANT OR CERTIFIER — SIGNATURE — DEGREE OR TITLE		13B. LICENSE NUMBER		13C. DATE SIGNED
	<i>Matthew Reed Him Lead</i>		<b>G76511</b>		<b>01/23/2006</b>
13D. TYPED NAME, TITLE AND MAILING ADDRESS OF ATTENDANT		14. TYPED NAME AND TITLE OF CERTIFIER IF OTHER THAN ATTENDANT			
<b>MICHELLE OLIVEIRA, MD, 5575 W LAS POSITAS BLVD, PLEASANTON</b>		<b>MATTHEW REED, HIM LEAD</b>			
15A. DATE OF DEATH		15B. STATE FILE NO. (STATE USE ONLY)	16. LOCAL REGISTRAR — SIGNATURE		17. DATE ACCEPTED FOR REGISTRATION
			<b>ANTHONY ITON, M.D.</b>		<b>01/24/2006</b>

**EXHIBIT G**

001557242

**CERTIFIED COPY OF VITAL RECORDS**  
 STATE OF CALIFORNIA, COUNTY OF ALAMEDA

This is a true and exact reproduction of the document officially registered and placed on file in the office of the Alameda County Recorder.

DATE ISSUED

**APR 25 2006**

This copy is not valid unless prepared on an engraved border displaying the date, seal and signature of the Recorder.



001557242

*Patrick O'Connell*  
 PATRICK O'CONNELL  
 ALAMEDA COUNTY RECORDER

U.S. Department of Homeland Security  
USCIS  
630 Sansome Street  
San Francisco, CA 94111



**U.S. Citizenship  
and Immigration  
Services**

Monday, March 13, 2006

MAHSHID KIANFARD  
4442 BANGOR CT  
DUBLIN CA 94568

Dear MAHSHID KIANFARD:

On 03/10/2006 you, or the designated representative shown below, contacted us about your case. Some of the key information given to us at that time was the following:

<b>Caller indicated they are:</b>	The applicant
<b>Attorney Name:</b>	Information not available
<b>Case type:</b>	I485
<b>Filing date:</b>	01/18/2005
<b>Receipt #:</b>	
<b>Beneficiary (if you filed for someone else):</b>	KIANFARD, MAHSHID
<b>Your USCIS Account Number (A-number):</b>	A096111781
<b>Type of service requested:</b>	Case Status - Outside Processing Time

The status of this service request is:

The processing of your case has been delayed. A check of our records establishes that your case is not yet ready for decision, as the required investigation into your background remains open.

Until the background investigation is completed, we cannot move forward on your case. These background checks are required to be completed on all applicants who apply for the immigration benefit you are seeking. We will make every effort to make a decision on this case as soon as the background checks are complete. If you do not receive a decision or other notice of action from us within 6 months of this letter, please contact us by calling our customer service number provided below.

If you have any further questions, please call the National Customer Service Center at 1-800-375-5283.

Please remember: By law, every person who is not a U.S. citizen and who is over the age of 14 must also notify the Department of Homeland Security within 10 days from when they move (persons in "A" or "G" nonimmigrant status are exempt from this requirement). If you have moved, please complete a Form AR-11 and mail it to the address shown on that form. If you do not have this form, you can download it from our website or you can call the National Customer Service Center at 1-800-375-5283 and we can order one for you. If you move, please call us with your new address information as soon as your move is complete. If you have already called us and given us this information, you do not need to call again.

U.S. Citizenship and Immigration Services

U.S. CIS - 03-13-2006 01:43 PM EST

EXHIBIT H

## U.S. Senator Dianne Feinstein

Home  
Biography  
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Services  
Legislation  
Voting Record  
For Students  
Contact Me  
Links  
En Espanol  
Site Map

### Privacy Release Form

#### Immigration Assistance Form

All Other Casework, please complete the  
following pdf form or  
print this page below and return to:

U.S. Senator Dianne Feinstein  
One Post Street, Suite 2450  
San Francisco, CA 94104

Attn: \_\_\_\_\_ People ID#: \_\_\_\_\_  
(for office use only)

Senator Dianne Feinstein

#### Privacy Release Form

Complete, sign, and return to:

SENATOR DIANNE FEINSTEIN  
One Post Street, Suite 2450  
San Francisco, CA 94104

Date: 06/27/06

Name: Mahshid Kianfard

Address: 4442 Bangor ct, Dublin, CA  
Zip: 94568

Home Phone: (925) 828-8465

Work Phone: cell # (818) 300-5892

Federal Agency Involved: \_\_\_\_\_

Social Security # or Agency File  
#: \_\_\_\_\_

Have you contacted our office before? NO

Have you contacted another congressional office regarding this matter? NO

If "yes" to the above, which office & when?  
\_\_\_\_\_

Is this matter currently pending before a local, state, or federal court? NO

Problem:

Please briefly explain your problem and outline the steps that have been taken by you and the agency with regards to your situation. In addition, please make your request for assistance as specific as possible. Should you require more room, feel free to attach a letter addressed directly to the Senator.

I am a 37 years old Female, Registered nurse,  
live in U.S. since 1999. Work in valley care  
hospital in pleasanton, CA.

my mom is a U.S. citizen (Khanom Bala Pirvali)  
she applied for me to be a permanent residence  
on 2001. my case was in process.

I got married to a U.S. citizen since Nov/2004  
and have a little baby now.

I reapplied on Jan/2005 through my husband  
We had an interview on May/11/2005 in  
San Francisco office. everything went very  
fine. our file was completed. The officer told me  
my case will be pending for security check. I didn't  
hear from them after 90 days follow up the case  
Now, it is more than a year over from my interview  
date. I called and even visited several times to



USCIS office in San Francisco for follow up my case.  
every time they said the status still pending for  
background check. I have an emergency back home  
and I request your assistance to find out my case  
status and also find out if a visa can be available  
for me to travel outside the U.S.  
please find attachments include the most recent  
copies I received from the I.N.S.  
Thank you and appreciated your assistance  
mahshid kianfarid

I hereby authorize U.S. Senator Dianne Feinstein and her staff to make inquiries and obtain information related to my case currently pending with the above mentioned federal agency.

SIGNATURE:  06/27/06

## ASSISTANCE REQUEST

PLEASE CLEARLY TYPE OR PRINT.

Name: Mahshid Kianfard Date: 06/27/06  
Street Address: 4442 Bangor Ct. Apt. #: \_\_\_\_\_  
City: Dublin State: CA Zip Code: 94568  
Home Phone: (925) 828-8465 Work Phone: (818) 300-5892 cell  
E-mail Address: Mahshidkia@yahoo.com  
\*\*Attention Attorneys: You must attach a copy of the G-28.

### SECTION I: (To be completed by all constituents.)

A. Name of the Petitioner: Amir Radpour  
Name of the Beneficiary: Mahshid Kianfard  
Date of Birth: 07/18/1968 Country of Birth: IRAN  
Alien Registration # (Green Card) of Petitioner: A 70064544  
Alien Registration # (Green Card) of Beneficiary: A 96111781  
Receipt # (usually begins with "WAC"): \_\_\_\_\_

B. FORM(S) FILED: [Please mark an 'X' next to the forms you have already filed.]

\_\_\_\_ G-639 \_\_\_\_ I-129F \_\_\_\_ I-140 \_\_\_\_ I-600 ☒ I-765 \_\_\_\_ N-526 \_\_\_\_ N-643  
\_\_\_\_ I-90 ☒ I-130 ☒ I-485 \_\_\_\_ I-600A \_\_\_\_ I-824 \_\_\_\_ N-565  
\_\_\_\_ I-129 \_\_\_\_ I-131 \_\_\_\_ I-539 \_\_\_\_ I-751 \_\_\_\_ N-400 \_\_\_\_ N-600

C. INS OFFICE WHERE FORM WAS FILED (Please circle the appropriate city):

San Francisco San Jose Fresno Sacramento Los Angeles Laguna Niguel San Diego

### LOCATION OF CASE

- ☒ If your case is currently at the **National Visa Center**, please go to **Section 2**.
- ☒ If your case is currently at an **American Consulate** or **Embassy**, please go to **Section 3**.
- ☒ If neither applies, please skip to **Section 4**.

**SECTION 2:** Please complete this section if your case is currently at the **NATIONAL VISA CENTER**

If your case is currently at the National Visa Center in Portsmouth, New Hampshire please complete the following, otherwise skip to Section III. Please refer to the letter you received from the National Visa Center:

Case Number (or Receipt Number): \_\_\_\_\_  
 PA Name: \_\_\_\_\_ Preference Category: \_\_\_\_\_  
 Your Priority Date: \_\_\_\_\_ Foreign State Charge ability: \_\_\_\_\_

PLEASE ATTACH THE MOST RECENT CORRESPONDENCE FROM THE NATIONAL VISA CENTER OR 'NOTICE OF ACTION' FROM THE INS

**Please skip to Section 4.**

**SECTION 3:** (To be completed if your case is currently at an AMERICAN CONSULATE or EMBASSY)

Case Number: \_\_\_\_\_  
 American Embassy or Consulate where the File is Currently:  
 City: \_\_\_\_\_ Country: \_\_\_\_\_

On a separate sheet of paper please describe briefly what problems you are experiencing and how Senator Feinstein can assist you.

ATTACH A COPY OF THE MOST RECENT CORRESPONDENCE FROM THE NATIONAL VISA CENTER (unless you filed for a 'Fiancé(e) Visa', then provide a copy of the approval notice from the INS)

**Please proceed to Section 4.**

**SECTION 4:** (To be completed by all constituents.)

- ☐ Mail this form to the address indicated below.  
☒ Include a copy of the most recent correspondence received from the INS, National Visa Center, American Embassy, and/or American Consulate.  
☐ Include the most recent copy of the 'Notice of Action' received from the INS.  
☒ I authorize United States Senator Dianne Feinstein to make an inquiry on my behalf.

Signature: Mahesh Date: 06/27/06

Senator Dianne Feinstein  
 1 Post Street, Suite 2450  
 San Francisco, California 94104  
 415-393-0707

# United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

July 21, 2006

Ms. Mahshid Kianfard  
4442 Bangor Court  
Dublin, California 94568

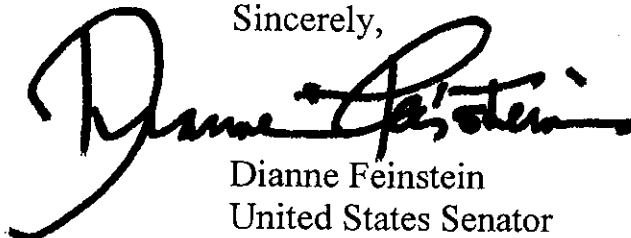
Dear Ms. Kianfard:

Thank you for contacting my office regarding your concerns with the status of your name check. I appreciate your bringing this to my attention and giving me an opportunity to see if my office can be of assistance.

I have asked Morgan Galli in my San Francisco office to assist you. Ms. Galli has contacted the Federal Bureau of Investigation on your behalf. You will hear back from my office when a response is received from the agency, which usually takes from six to eight weeks.

Again, thank you for contacting me. My San Francisco staff will do all they can to help you.

Sincerely,



Dianne Feinstein  
United States Senator

DF:mg

# United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

September 22, 2006

Ms. Mahshid Kianfard  
4442 Bangor Court  
Dublin, California 94568

Dear Ms. Kianfard:

The Federal Bureau of Investigation has told me that your name check has been pending since 04/22/05. The FBI requests that our office wait ninety days before making a follow up inquiry.

I hope that this information is helpful and that it will clarify the situation for you. If you have further questions, or if there is any way the Senator's office can help you in the future on other federal matters, I hope you will contact us again.

Sincerely,



Morgan Galli  
Constituent Services Representative

# CALIFORNIA

BOARD OF REGISTERED NURSING

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Registered Nurse  
License: 615435

MAHSHID KIANFARD

Expiration: 08/31/2008  
Status: ACTIVE








U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. Citizenship and Immigration Services

**EMPLOYMENT AUTHORIZATION CARD**

The person identified is authorized to work in the U.S. for the validity of this card.

NAME **KIANFARD, MAHSHID**  
*Maahshid*

A# 096-111-781  
CARD # MSC0614415180  
Birthdate **07/11/79** Category **ART** Sex **F**



NOT VALID FOR REENTRY TO U.S.

CARD VALID FROM **05/10/06** EXPIRES **05/09/07**

EXHIBITJ

